

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E: HIGH-TECH EMPLOYEE)
TRUST LITIGATION)
) No. 11-CV-2509-LHK
DOCUMENT RELATES TO:)
ACTIONS.)

VIDEO DEPOSITION OF WILLIAM CAMPBELL

CONFIDENTIAL - ATTORNEYS' EYES ONLY

February 5, 2013

Reported by: Anne Torreano, CSR No. 10520

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	1 recruiting with other companies?		1 A. I don't know what Adobe means.
	2 MR. MITTELSTAEDT: You mean with respect to		2 Q. Well, it's referring to Apple, and as a board
	3 Google?		3 member of Apple, I thought it was possible that you
	4 MR. HEIMANN: Well, we know from the documents		4 knew about some war between Adobe and Apple.
	5 that there were arrangements between Intuit and other		5 A. 2010. "Yah, bring it on."
	6 companies. I understand he says he didn't know about		6 What the hell?
	7 those.		7 No, I don't know. I have no idea.
	8 THE WITNESS: The only one I know of is Intuit		8 Q. All right. Let me ask you to take a look at
	9 and Google.		9 Exhibit 677.
03:15:10	10 MR. HEIMANN: All right.	03:17:47	10 (DEPOSITION EXHIBIT 677 MARKED.)
	11 THE WITNESS: And the board was not aware of		11 THE WITNESS: Yes, sir. I read that.
	12 that. Or at least it was never a formal part of any		12 Oh, read the agreement itself?
	13 questioning of any sort.		13 BY MR. HEIMANN:
	14 BY MR. HEIMANN:		14 Q. I wouldn't encourage you to do it, but you're
03:15:17	15 Q. Okay. Does Intuit currently have any	03:19:26	15 welcome to if you want.
	16 no-cold-call list itself?		16 A. No, I don't. Disclosure, et cetera, term and
	17 A. Not that I'm aware of.		17 termination.
	18 Q. How about Apple? Do you know about Apple?		18 Okay.
	19 A. Well, I guess the documents that you gave me		19 Q. All right. Do you recognize the declaration?
03:15:31	20 are still current. They've got a new CEO now, so all	03:20:13	20 A. Yes.
	21 those things could be gone now. I have no idea.		21 Q. Did you write this yourself?
	22 Q. All right.		22 A. Probably not.
	23 A. This would not reach my level of incompetence.		23 Q. Somebody else wrote it?
	24 Sorry.		24 A. I think I probably dictated some of it, but I
03:15:42	25 MR. MITTELSTAEDT: It's all right.	03:20:29	25 didn't write it.
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	1 THE WITNESS: Frivolous comment. Sorry.		1 Q. All right. Did you read it before you signed
	2 BY MR. HEIMANN:		2 it?
	3 Q. Were you aware -- let's use it by documents.		3 A. I did.
	4 298.		4 Q. Is it accurate in all respects?
	5 So this is an internal Adobe document which I		5 A. As far as I can tell, it is accurate.
	6 imagine you have not seen before.		6 Q. All right. Let's talk -- start with the date
	7 A. What does the URL refer to? What does this		7 of January 1st, 2002 as the date that you were engaged
	8 URL refer to?		8 to serve as a consultant for Google.
	9 Q. Where are you reading?		9 The outset of your deposition today, you said
03:16:45	10 A. Well, this must have been an off-limits list.	03:20:47	10 that was in September of 2001.
	11 Is there a list?		11 A. 2001, right.
	12 Q. If we had been provided with a list that was		12 Q. The correct date is September 2001?
	13 associated with this e-mail, we would have included		13 A. It is 2001. I mean, I probably -- if they
	14 it. So I've got to assume we didn't.		14 formalized it, you know, in the beginning of the year,
03:16:59	15 A. "Please find attached updated off-limits	03:20:58	15 probably. But I did a lot of stuff with Eric starting
	16 list," and then up at the top there's "A Day in the		16 right after 9/11.
	17 Life at Adobe" URL underlined. But we don't have		17 MR. RUBIN: I'll just interpose an objection
	18 any -- I don't have a computer here, so I can't even		18 that misstates prior testimony about the date he
	19 look at it.		19 provided.
03:17:12	20 I don't know what this means, "Dude, we are	03:21:12	20 THE WITNESS: This is -- this is what -- yeah.
	21 officially at war with Apple."		21 But yes, I first started coming to Google in
	22 Q. That was going to be my question.		22 '01. Whether it was a formal agreement of any sort or
	23 A. What the hell does that mean?		23 not at that time, you know, I just -- I really do
	24 Q. That's -- that's my question to you.		24 things kind of informally with companies.
03:17:22	25 And again, you don't know?	03:21:29	25 BY MR. HEIMANN:

Deposition of William Campbell

~#In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

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	1 you. Just the process is what I'm interested in, not 2 the substance. 3 A. I'm not sure what you want me to say. 4 Q. Just -- 5 MR. MITTELSTAEDT: He's entitled -- 6 BY MR. HEIMANN: 7 Q. They asked you some questions during the 8 course of that meeting, I gather. 9 A. Correct. 03:31:27 1 0 Q. And you answered to the best of your ability? 1 1 A. I did. 1 2 Q. All right. Have you reviewed any of -- strike 1 3 that. 1 4 Do you know what a deposition transcript is? 03:31:38 1 5 A. No. 1 6 Q. It's what the court reporter will end up 1 7 putting together when she does her work, and it will be 1 8 the questions and answers that you were asked here 1 9 today. 03:31:46 2 0 I'm interested to know, have you reviewed any 2 1 of the transcripts of the depositions of any of the 2 2 other witnesses who have testified so far in this case? 2 3 A. No. 2 4 Q. Have you met and spoken with any of the 03:32:01 2 5 employees at Google or officers at Google in connection		1 BY MR. HEIMANN: 2 Q. All right, Mr. Campbell, let me hand you what 3 we'll mark as Exhibit 678. 4 (DEPOSITION EXHIBIT 678 MARKED.) 5 BY MR. HEIMANN: 6 Q. Do you recognize this? 7 A. I do. 8 Q. What is it? 9 A. It's Intuit's operating guidance. They call 03:38:13 1 0 it the code of conduct and ethics now. 1 1 Is that something different? I don't know. I 1 2 think so. 1 3 Q. Was it in effect during the time that you were 1 4 on Intuit's board of directors? 03:38:25 1 5 A. Oh, yes. 1 6 Q. Was there any aspect of this that did not 1 7 apply to your -- yourself and your work? 1 8 A. You know, we did the first ones. I don't 1 9 know. I didn't -- I'm not sure I read the second. 03:38:46 2 0 This is phase 2 of these. I'm not sure I read 2 1 these in as much detail as I would have in the others, 2 2 so it could be. I don't know. 2 3 Q. All right. Could you go to page 22 with me? 2 4 A. Sure can. 03:39:01 2 5 Got it.
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	1 with your preparation for the deposition? 2 A. Absolutely not. 3 Q. Same with respect to Intuit? 4 A. Absolutely not. I don't think anybody at 5 Intuit except these guys know. 6 Q. Just the lawyers? 7 A. Just the lawyers. 8 Q. All right. And did you do anything else that 9 you haven't yet told us about to get ready for the 03:32:21 1 0 deposition? 1 1 A. I put on a jacket and a tie. 1 2 Q. Got that. 1 3 A. Very heavy preparation, by the way, just so 1 4 you know. 03:32:30 1 5 MR. HEIMANN: Okay. So if we can just take 1 6 five minutes and let me confer about whether I'm done, 1 7 I'm probably done. 1 8 And would you like to see the '84 commercial 1 9 in the meantime? 03:32:39 2 0 THE WITNESS: No. 2 1 THE VIDEOGRAPHER: We are now off the record 2 2 at 3:32. 2 3 (RECESS TAKEN.) 2 4 THE VIDEOGRAPHER: We are now on the record at 03:37:19 2 5 3:37.		1 Q. Under the subheading "a," "Use of Intuit 2 Resources and Assets," was there any aspect of this 3 that you were exempted from? 4 A. I don't think I was exempted from anything. I 5 was a -- I had been, for a while, an executive chair, 6 which made me an employee, and then I am now a 7 nonexecutive chair but still an employee. 8 MR. HEIMANN: Okay. That's all I have. 9 THE WITNESS: Thank you. 03:39:35 1 0 MR. HEIMANN: Thank you for your patience with 1 1 me, sir. 1 2 THE WITNESS: Thank you. 1 3 THE VIDEOGRAPHER: Okay. This is the end of 1 4 video 3 of 3 and concludes today's proceedings. 03:39:46 1 5 The master videos will be retained by Jordan 1 6 Media. 1 7 We are now off the record, and the time is 1 8 3:39. 1 9 (DEPOSITION ADJOURNED AT 3:39 p.m.) 2 0 --- oOo --- 2 1 2 2 2 3 2 4 2 5

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rtify under penalty of perjury that the foregoing
rue and correct.

WILLIAM CAMPBELL

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REPORTER'S CERTIFICATE

I, Anne Torreano, Certified Shorthand Reporter
nsed in the State of California, License No. 10520,
by certify that the deponent was by me first duly
n, and the foregoing testimony was reported by me
was thereafter transcribed with computer-aided
scription; that the foregoing is a full, complete,
true record of said proceedings.

I further certify that I am not of counsel or
rney for either or any of the parties in the
going proceeding and caption named or in any way
rested in the outcome of the cause in said caption.

The dismantling, unsealing, or unbinding of
original transcript will render the reporter's
ificates null and void.

In witness whereof, I have subscribed my name
8th day of February, 2013.

- ☐ Reading and Signing was requested.
☐ Reading and Signing was waived.
☒ Reading and Signing was not requested.

ANNE M. TORREANO, CSR No. 10520